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## PROPOSALS AFFECTING IMMIGRATION

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At the outset of the examination of any proposals affecting immigration there should be a full realization of the magnitude of dependent interests and of the injury that will be wrought by ill-considered and misjudged legislation. No subject of national concern demands more assuredly impartial and thorough consideration—in the colorless light of facts determined and determinable—without any bias of prejudice, of misinformation, or selfish, short-sighted interest.

It is needless to enter into any presentation in detail of the contribution of immigration to the upbuilding of this country. It is conceded that the marvellous growth of our nation in every exhibit of industrial progress has been greatly aided by the influx, during the last century, of so many millions of honest, willing and industrious laborers seeking homes and opportunities here for themselves and their children. They have taken part in every memorable achievement and their decisive influence has been cast in the scale to sustain every effort for the maintenance of the life and integrity of the Union.

During the past forty years, there has been a persistent sifting of immigration, with the design of excluding all classes and conditions incapable of assimilation or offensive to our civilization. The Act of 1862 prohibited the importation of "coolie" labor from Oriental countries and subsequent "Chinese Exclusion Acts" have broadly shut out the Chinese as persistently alien and detrimental to the character and homogeneity of our nation. The Act of 1875 excluded convicts, except those guilty of political offenses, and women imported for immoral purposes. By the Act of 1882, lunatics, idiots, and persons unable to care for themselves without becoming public charges, were comprehended in the exclusion.

The Act of 1885, by implication, and the Act of 1887 expressly, added "contract laborers." By the Act of 1891, paupers, persons suffering from loathsome or dangerous contagious diseases, polygamists and "assisted" immigrants were specifically excluded. The Act of 1903 added epileptics, persons who have been insane within five years previous, professional beggars and anarchists. By the same Act also, there was a stringent exclusion of persons deported within a year previous, as being "contract laborers." If by any oversight of inspection any of the excluded persons should succeed in obtaining an entrance to this country, their deportation at any time within two years after their entry is secured when their presence is detected.

The comprehensive Act of March 3, 1903, entitled "An Act to regulate the immigration of aliens into the United States," was professedly the crystallization of thirty years of experience, investigation, debate, and legislation in the solution of the so-called "problems of immigration." The testing of the operation of this Act has barely begun; but, without waiting for any exact determination of substantial defects or insufficiency, further proposals of change are hazarded. Of the two deserving special mention, one would effect a radical change in administration through consular inspection and certification at the ports of embarkation; the other urges a sweeping exclusion, not based on moral character or capacity for labor and self-support, but on literary qualification and comprehension of political institutions—the ability to read and presumably to appreciate a text taken from the Constitution of the United States.

*Proposal for Consular Inspection.*—The proposal for a change of administrative method, through consular inspection and certification, is a belated revival of a proposition that has received more careful and expert consideration than any other measure affecting immigration that has been urged upon the attention of Congress. Every material point in the case was raised and determined in the investigation of the "Weber Commission" of 1890-1891. The adverse report of this Commission was formally endorsed by Secretaries Gresham and Carlisle and its conclusion has been enforced by the repeated examination and judgment of successive committees on immigration. In the latest hearings before the Senate Committee on Immigration in 1902, the undesirability of regulation by con-

sular inspection was expressly attested by Mr. Charles Warren, representing the Immigration Restriction League, who stated: "I do not think that there is a prominent man who has taken up the subject, who advocates it;" and the Chairman of the Committee confirmed this conclusion by observing: "I understand that the idea of consular inspection has been practically abandoned."

*Proposal for "Educational Tests."*—The proposition for the introduction of the so-called "educational test" was judicially considered and rejected in the message accompanying the *veto* of President Cleveland on March 2d, 1897. No statement of the case is more obviously impartial or can carry a greater weight of individual authority.

In this statement he observed: "A radical departure from our national policy relating to immigration is here presented. Heretofore we have welcomed all who came to us from other lands, except those whose moral or physical condition or history threatened danger to our national welfare and safety. Relying upon the jealous watchfulness of our people to prevent injury to our political and social fabric, we have encouraged those coming from foreign countries to cast their lot with us and join in the development of our vast domain, securing in return a share in the blessings of American citizenship.

"A century's stupendous growth, largely due to the assimilation and thrift of millions of sturdy and patriotic adopted citizens, attests the success of this generous and free-handed policy, which, while guarding the people's interests, exacts from our immigrants only physical and moral soundness and a willingness and ability to work.

"A contemplation of the grand results of this policy cannot fail to arouse a sentiment in its defense; for, however it might have been regarded as an original proposition and viewed as an experiment, its accomplishments are such that if it is to be uprooted at this late day, its disadvantages should be plainly apparent and the substitute adopted should be just and adequate, free from uncertainties and guarded against difficult or oppressive administration.

"It is not claimed, I believe, that the time has come for the further restriction of immigration on the ground that an excess of population overcrowds our land.

"It is said, however, that the quality of recent immigration is undesirable. The time is quite within recent memory when the same thing was said of immigrants who with their descendants are now numbered among our best citizens.

"It is said that too many immigrants settle in our cities, thus dangerously increasing their idle and vicious population. This is certainly a disadvantage. It cannot be shown, however, that it affects all our cities, nor that it is permanent; nor does it appear that this condition, where it exists, demands as its remedy the reversal of our present immigration policy.

"The best reason that could be given for this radical restriction of immigration is the necessity of protecting our population against degeneration and saving our national peace and quiet from imported turbulence and disorder.

"I cannot believe that we would be protected against these evils by limiting immigration to those who can read and write in any language twenty-five words of our Constitution. In my opinion it is infinitely more safe to admit a hundred thousand immigrants who, though unable to read and write, seek among us only a home and opportunity to work, than to admit one of those unruly agitators and enemies of governmental control, who can not only read and write, but delight in arousing by inflammatory speech the illiterate and peacefully inclined to discontent and tumult. Violence and disorder do not originate with illiterate laborers. They are rather the victims of the educated agitator. The ability to read and write as required in this bill, in and of itself, affords, in my opinion, a misleading test of contented industry and supplies unsatisfactory evidence of desirable citizenship or a proper apprehension of the benefits of our institutions. If any particular element of our illiterate immigration is to be feared for other causes than illiteracy, these causes should be dealt with directly instead of making illiteracy the pretext for exclusion, to the detriment of other illiterate immigrants against whom the real cause of complaint cannot be alleged."

Hon. Samuel J. Barrows, Secretary of the Prison Association of New York, has characterized this test as a suggestion of literary dilettanteism—not measuring the extent of education in its true meaning as the drawing out of faculty, or the capability for

useful and needed service, nor gauging the moral character of any immigrant. In view of this apparent certainty, it may be noted without unfairness that the probable effect of the adoption of this test seems to be of much more concern to the bulk of its advocates than the justice and fitness of its application. It is the simplest and handiest resort for cutting down immigration and it is calculated that it will bear chiefly on the immigration from Southern Europe, which is the most novel and hence least expert in settlement and least supported by widely distributed roots here.

Without discussing further, therefore, the application of this particular device of reduction, it is of prime importance to meet the broader issue—the pressure for the curtailing of immigration. Its advocacy must be based, necessarily, on one of two assumptions—that, in spite of all present safeguards, part of the present influx is unfit to enter this country, or that there is no longer an opening here for the labor seeking admission.

In maintenance of the first proposition, it is alleged broadly that our foreign-born population shows a higher percentage of criminality than the native born; that the immigration from Southern Europe is more burdensome proportionately to our prisons and asylums than the immigration from Northern Europe; and that these immigrants are the makers of the slums of our great cities and are largely thriftless and unprogressive. These are too common impressions through prejudiced and misinformed disparagement, but records of unquestionable authority demonstrate that none of these assertions is correct.

*The Immigrant and Crime.*—In view of the services of the immigrant in upbuilding this country, there might be some just palliation of a percentage of law breaking in excess of that of the native born. The immigrant has not been reared in conformity with our laws and social restrictions and has been negligently housed in the slums. Yet in spite of our slum traps it does not appear that the record of the immigrant needs any special consideration. Hastings H. Hart, General Secretary of the National Conference of Charities and Correction, has contributed a notable demonstration of the comparative criminality of our foreign and native-born population, in a communication to the *American Journal of Sociology* for November, 1896.

Mr. Hart shows from the United States Census returns (a) "that as a matter of fact the foreign-born population furnishes only two-thirds as many criminals as the native-born; (b) that while it is true that the native-born children of foreign-born parents furnish more criminals proportionately than those whose parents are native born, yet in more than half the States the showing is in favor of the children of the foreign born; (c) that the combined ratio of prisoners of foreign birth and those born of foreign-born parents to the same classes in the community at large is only eighty-four per cent. of the ratio of native-born prisoners to the same class in the community at large."

A common error arises, as he notes, "from comparing the criminal population, foreign and native, with the whole of the general population, foreign and native. The young children of the community furnish practically no prisoners, and nearly all of these children are native born, whether the parents are native born or not. The consequence is that Mr. Hawes has not only given the native population credit for its own children, who are not criminals, but has taken the native-born children of foreign parents, adding them to the native-born population and counting them against their own parents."

"Of the prisoners of the United States 98.5 per cent. are above the age of sixteen years; 95 per cent. are above the age of eighteen years; and 84 per cent. are above the age of twenty-one years. The native-born population of the United States in 1890 numbered 53,390,600; the native-born prisoners 65,977; ratio 1235 in a million. The foreign-born population numbered 9,231,381; the foreign-born prisoners 16,352; ratio 1,744 in a million; an apparent excess of foreigners over native of 41 per cent. But the number of native-born males of voting age was 12,591,852; native-born male prisoners 61,637; ratio 4,895 in a million. The number of foreign-born males of voting age was 4,348,459; foreign-born male prisoners 14,287; ratio 3,285; showing an actual excess of natives over foreigners of 50 per cent."

The accuracy of Mr. Hart's conclusions has since been sustained by a number of independent inquiries of less extended range embracing the ascertainable returns of a number of States whose records are most complete and reliable. The basis of his reckoning of parent-

age is criticized in the statistical report of the United States Industrial Commission on Immigration transmitted to Congress on December 5th, 1901, but his general conclusion is affirmed as follows, viz.: "From this table it will be seen that taking the United States as a whole, the whites of foreign birth are a trifle less criminal than the total number of whites of native birth."

In the report of the Commission there is further noted very significantly the nationality which has contributed far more largely than any other to raise the average of the criminality and pauperism of the foreign born:

"Taking the inmates of all Penal and Charitable Institutions we find that the highest ratio is shown by the Irish, whose proportion is more than double the average for the foreign born, amounting to no less than 16,624 to the million."

There are, unfortunately, too few States that have taken pains to secure and record exact statistics of crime and pauperism for the comparison of nationalities and birth. Among these few is the State of Indiana, and the report of State Statistician Johnson for 1902 significantly shows that a common impression as to the relative criminality of the foreign born is by no means a reliable guide for restrictive legislation. In this report it is noted: "The great majority of Indiana evil-doers who find their way eventually to the State Prison and Reformatory are American born. In the State prison, out of 751 convicts, 531 are white Americans and 122 American negroes, 48 Irish, 27 Germans, 7 English, 4 French, 3 Scotch, 1 Welsh, 1 Russian, 1 Pole, 1 Belgian."

"At the Reformatory at Jeffersonville, with 919 inmates, 696 are white Americans, 191 American negroes, 10 Germans, 2 French, 3 Canadians, 8 English, 1 Scotch, 1 Belgian, 1 Swiss and 2 Irish."

There is a further special contention of the Immigration Restriction League, bearing most severely upon the Italian immigrant, that a "parallelism exists between the criminal tendencies and the illiteracy of the same races." In addressing the Senate Committee on Immigration of the last Congress, Prescott F. Hall, Secretary of this League, cited in support of his contention a tabulated statement from the Twenty-fourth Annual Report of the Massachusetts Prison Commissioners for the year ending September 30th, 1894.



The conclusion which he sought to draw from this report was opposed on the floor of the Senate in December, 1896, by Senators Gibson, Caffery, and others, and the general character of the filtered immigration was attested in particular by an extract from a report of the Commissioner General of Immigration for the year 1895-6 as follows:

"It is gratifying to me to be again able to report to you that I know of no immigrant landed in this country within the last year who is now a burden upon any public or private institution.

"With some exceptions the physical characteristics of the year's immigration were those of a hardy, sound laboring class, accustomed and apparently well able to earn a livelihood wherever capable and industrious labor can secure employment."

There was, however, no direct challenging of the statistical prop of the Immigration Restriction League and its inference until it was picked up and shaken by Samuel J. Barrows, Secretary of the Prison Association of New York, on December 9th, 1902, in a hearing given by the Senate Committee on Immigration. "The Italian people," said Mr. Barrows, "as a whole are a frugal and industrious people. In our statistics we sometimes make discriminations against them that are not correct. We had an illustration of this in Massachusetts. A report was prepared by the Immigration Restriction League which was based upon the criminal record of the Italians in Massachusetts, leaving out all crimes which had been produced through intoxication. That is the way that ingenious plan of statistics was drawn. So they tried to make out a bad case against the Italians.

"Now Massachusetts is the one State in the Union that has made the most thorough examination of the whole question of the relation of intemperance to crime, and the report on that subject in 1895 by the Bureau of Labor Statistics there shows that about 87 per cent. of all the crime in Massachusetts grew out of intemperance in some form. When you take then the Italian population of Boston and of Massachusetts, and ask how many of those people were imprisoned or arrested or committed crime because of intemperance, you find that they rise away above all the Northern races—that is, commit fewer crimes from this cause. The Italian people are a temperate people, and while in Massachusetts three in a hundred of the North-

ern races, including the Scotch, the Irish, the English and the Germans, were arrested for intemperance, only three in a thousand of the Italians were arrested. What a remarkable bearing that has upon desirability and availability."

The evidence of Mr. Barrows is further specifically attested in the report of the United States Industrial Commission on Immigration, covering the tables compiled by the Prison Commissioners of Massachusetts, referred to by Mr. Hall. This report states: "It appears from the table that of prisoners committed to all institutions in proportion to a thousand population of the same nativity those born in Massachusetts numbered 7.5 per thousand, but that, omitting those committed for intoxication, the number is 2.6 per thousand. Below this proportion stand immigrants from Portugal, Austria, Germany, Russia and Finland. The leading nationality above this average is that of the Irish, whose commitments per thousand were 27.1, but omitting intoxication was 6. Next in order of commitments are Welsh, English, Scotch, and Norwegians, all of which show a large predominance of intoxication. The Italians are a marked exception, the commitments numbering 12.9 for all causes, and 10 for causes except intoxication.

*The Immigrant and Pauperism.*—An allied contention of the Immigration Restriction League is the rolling up of the burden of pauperism through the influx of Southern Latin immigration. As Massachusetts has been picked out by preference on the basis of its exhibit, invidiously distinguishing the Italian immigrant, Massachusetts authority of unimpeachable character is here cited in flat contradiction of this assumption.

In the Twenty-third Annual Report of the Associated Charities of Boston, November, 1902, it is stated:

"The variation in the number of Italians applying for assistance is interesting: 54 families came to us in 1891, and only 69 in the last year, though the Italian population of this city has in the meantime increased from 4,718 to 13,738. This fact seems to corroborate the report of Conference 6 (embracing the North-End District or Italian quarter), which described the Italian immigrant as usually able to get on by himself except in case of sickness, when temporary help is needed."

It is obvious that this report marks not only a low rate of

pauperism but a very material decrease in the percentage of applicants for charity in the face of the much decried influx during the closing years of the last century.

The report of District 6 Conference, referred to in the above summary, remarks: "As the Italian families so largely outnumber the others, and as the Italian element is now predominant in the district, it is worth while to note the chief causes of extreme poverty.

"We observe that intemperance is not found as a chief or as a subsidiary cause in any of this year's list of Italian families. Sick-ness was the leading chief cause (10) and also the leading subsidiary cause (9); next in order, come the following chief causes: lack of employment due to no fault of employee (4); physical or mental defects (2); roving disposition (3); dishonesty (2); disregard of family ties, lack of training for work, and lack of thrift (1 each).

"If any general inference is fair from so small a number of cases, it is that the Italian families referred to us have not been in the greatest distress. The majority of the Italians are apparently fairly thrifty and those who have trouble are often helped by their countrymen. The little that we have been called upon to do has in some cases set a family at once upon its feet."

The assumption that illiteracy is a prolific source of pauperism is not sustained by the examination of cases known to this Conference, so far, at least, as the Italian immigrant is concerned. "In the matter of illiteracy," the Conference of District 6 states, "we can give positive information about only 45 of the 68 families (applying for aid)—mostly Italians." The record shows 32 Italian families, with 64 parents born in Italy. "Among heads of these families, we find 32 who can read and write; 2 who can read and not write, while 11 can neither read nor write."

As to the burden imposed by recent arrivals the report of Conference 4 is noteworthy: "We found that none of the new arrivals (needing help) were recent immigrants and that almost all of the parents were born in the United States or Great Britain."

Another exact and authoritative record giving an exhibit of pauperism in New York City and its distribution by nationalities is presented in the Thirty-fifth Annual Report of the State Board of Charities of New York, containing the proceedings of the New York State Conference of Charities and Correction at the Second Annual

Session held in New York City, November 19th, 20th, 21st, and 22d, 1901. At this Conference an address on "The Problems of the Almshouse" was given by Hon. W. Keller, President of the Department of Public Charities of the City of New York. In the course of his discussion the following table was presented showing the nativity of persons admitted to the Almshouse in 1900:

	Male.	Female.	Total.
United States .....	355....	199....	554
Ireland .....	808....	809....	1,617
England and Wales .....	111....	87....	198
Scotland .....	25....	14....	39
France .....	19....	2....	21
Germany .....	290....	84....	374
Norway, Sweden and Denmark .....	22....	6....	28
Italy .....	15....	4....	19
Other countries .....	50....	36....	86
Total.....	1,695....	1,241....	2,936

"Out of a total of 2,936 only 554 were born in the United States; 2,382 were foreign born, and of this number 1,617 were born in Ireland alone."

The determination of the general distribution of pauperism by nationalities has been made in the report of the United States Industrial Commission on Immigration transmitted to the Fifty-seventh Congress. "The proportion of the nationalities among the paupers in our almshouses varies very greatly. The Irish show far and away the largest proportion, no less than 7,550 per million inhabitants, as compared with 3,031 for the average of all the foreign-born. The French come next, while the proportion of paupers among the Germans is somewhat unexpectedly high. The remarkably low degree of pauperism among the Italians is possibly due to the fact that such a large percentage of them are capable of active labor, coming to this country especially for that purpose."

These citations are not made with the design of casting any particular reproach upon the Irish nationality, but simply to correct a prevalent impression discrediting the influx of the Southern Latin races and the alleged relation of illiteracy to pauperism, for it is morally certain that the alleged "educational test" would not

be urged, if it bore severely upon the Irish immigrant, whose value to the country is generally conceded.

*The Immigrant and the Slum.*—There has been a strenuous harping on the disastrous effect of immigration in filling the slums of our cities and in the prolific breeding of crime and disease. Fortunately for the credit of the immigrants, there has been of late years a dawning perception that it is the tenement, not the tenant, that makes the slum and that the rational remedy for congestion does not lie in the exclusion of the flow of productive labor, but in its effective regulation and distribution. Our present slums are the natural outgrowth of the reckless laxity of our building laws and sanitary regulations. They are plainly chargeable to our civic blindness and the toleration of greed. It is the native-born rookery, not the foreign-born influx, that must bear the burden of reproach for the slum.

This has been conclusively demonstrated in the partial transformation already effected by the pressure of necessity and the sense of responsibility.

In the pithy conclusion of Jacob Riis: "Wherever the Gospel and the sunlight go hand in hand in the battle with the slum, there it is already won—there is an end of it at once." Sometimes the slum has been conquered by cutting out sections bodily, as was done in the annihilation of the infamous Five Points, in the opening of Paradise Park, a playground for the children. "Mulberry Bend," as Mr. Riis observes, "was the worst pigsty of all." "I do not believe that there was a week in all the twenty years I had to do with the den, as a police reporter, in which I was not called to record there a stabbing or shooting affair, some act of violence. It is now five years since the Bend became a park, and the police reporter has not had business there once during that time; not once has a shot been fired or a knife been drawn."

Reconstruction is not a gift enterprise nor a charitable donation. Street widenings and the opening of squares and little parks are the changing of antiquated, inconvenient and unhealthful conditions for the essential requirements of a modern city. Reconstruction of dwellings to meet proper requirements is not any half-way approach to the erection of almshouses. It has been repeatedly demonstrated that the so-called model tenements will unfailingly pay

even higher average returns than the business buildings erected under modern regulations in the best city locations. Even where there is an apparent strain of philanthropy or extraordinary accommodation for the rental charges, as in the erection of the Riverside Tenements in Brooklyn, the return is certified to be never less than six and even seven per cent. on the investment.

*Relief of Congestion.*—The relief of congestion by more effective distribution is undoubtedly desirable. The importance of this provision of relief has been emphasized repeatedly by our Commissioners of Immigration, and it is particularly urged by the present Commissioner General as the only adequate solution of the so-called "problem of immigration." This national concern may rationally and appropriately be a national undertaking, as leading sociologists and practical handlers of immigration have insistently advised.

Wider distribution, so far as it has been effected by local and spasmodic effort and the drift of unassisted settlement, has done away with any complaints of the influx. Recent and searching inquiries among the smaller cities and towns of the country as to the condition and occupation of the immigrants show that they are now fully employed, as a rule, and that their sterling qualities are clearly appreciated.

With scarcely an exception, when they have been drawn into the agricultural districts their settlements have been thriving. Their knowledge of intensive farming enables them to develop exhausted soils and even abandoned farms successfully. The chief obstacle in the way of this drift has been the prejudice against agriculture derived from bitter experience with land monopoly and disproportionate taxation in their native countries, but this prejudice is disappearing with the better information now spreading among them.

There has never been a period in which the Southern States have been so energetic in courting immigration. They see in it the surest and quickest solution of their labor and racial problems. The recent organization of the "Four States League" and the formation, only a few weeks ago, of the "Immigration Association of South Carolina," are significant indications of a rising demand for immigration, notwithstanding the extraordinary flow of recent years

to this country. There has been a very considerable attraction of Italians already to the sugar cane plantations, and the influx to the Southern States should grow with the extending familiarity of the immigrants and the rising appreciation of their peculiar adaptation for varied plantation service. Even if the South continues to draw largely from the North and West, as at present, instead of enlisting the newcomers directly, the drain of older settlers must be filled by immigration or the North will suffer.

There is further an expanding demand for the heavy outdoor labor of the recent immigrant in the extension of public works of all kinds, railway building, etc. These elemental undertakings in industrial development are necessarily dependent on the certainty of the supply of willing and sturdy labor, and their progress will inevitably be checked by any shrinkage of this supply. It is apparent that the effect of this employment and the consequent development of the country should be to expand the demand for workers in every line of industry. Hence the entry of immigrants does not operate to exclude American laborers now here from profitable occupation, but surely in the long run to increase the demand for their labor.